

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MARK I. SOKOLOW, *et al.*,

Plaintiffs,

vs.

THE PALESTINE LIBERATION
ORGANIZATION, *et al.*,

Defendants.

No. 04 Civ. 00397 (GBD) (RLE)

DECLARATION OF KENT A. YALOWITZ

Kent A. Yalowitz hereby declares as follows:

1. I am a member of the bar of this Court and of the Arnold & Porter law firm. I serve as counsel for Plaintiffs in the above-captioned case. I make this declaration to place documents and information before the Court relevant to the issue of defendants' consent to the exercise of personal jurisdiction in this case under the Promoting Security and Justice for Victims of Terrorism Act, Pub. L. No. 116-94, § 903 (PSJVTA). *See* Parts A and B, *infra*. I also make this declaration to describe information that discovery would likely reveal should such discovery be necessary, *see* Part C, *infra*, and to place certain documents before the Court, *see* Part D, *infra*.

A. Consent Under Subparagraph (1)(A)

2. Below, I summarize public-source information concerning certain incidents in which nationals of the United States were killed or injured by reason of acts of terrorism. Where appropriate, I refer to summaries of convictions and other information contained in Israeli court documents contained in the Declaration of Nick Kaufman filed herewith. I also refer where

appropriate to summaries of information concerning suicide terrorists contained in the Declaration of Arie Spitz filed herewith.

3. The table attached to the accompanying memorandum of law summarizes the dates and locations of relevant terror attacks, the names of U.S. nationals killed or injured in those attacks, and the names of individuals imprisoned for or killed while perpetrating those attacks. Below I detail public-source information germane to each attack listed in the table.

Date	Location of Attack	U.S. Victims' Names
06/05/1968	Los Angeles	Robert F. Kennedy

4. Robert F. Kennedy was murdered on June 5, 1968 at the Ambassador Hotel in Los Angeles, California, at an event during his campaign for the nomination to be the Democratic Party's candidate for the office of President of the United States. *See People v. Sirhan*, 7 Cal. 3d 710, 716–719 (1972) (en banc). Sirhan Bishara Sirhan was convicted of the murder. The trial record included statements by Sirhan, a Palestinian, that “I did it for my country.” *Id.* at 719, 721. Sirhan testified about “his views regarding the Arab-Israel conflict and his hatred of the Zionists,” *id.* at 721. On appeal, the California Supreme Court emphasized Sirhan's apparent motivations:

Dr. Pollack further testified that “‘I believe the assassination of Senator Robert Kennedy was triggered by political reasons with which [defendant] was highly emotionally charged; I believe that Sirhan focused on Senator Robert Kennedy as an individual who should die, not only because of the Kennedy promise to give Israel the jet bombers that would cause death to thousands of Arabs, in Sirhan's opinion, but also because Sirhan wanted the world to see . . . how strongly our United States policy was in the pro-Israel-anti-Arab movement in . . . spite of our Government's professed interest for the underdog, and world justice’” and “‘Sirhan . . . saw himself as a defender of the Arab cause and, as an individual who through [] this act would bring world attention to the Arab plight and also . . . materialize his fantasy of success.’”

Id. at 724–25. The California Supreme Court rejected Sirhan's challenge to the fairness of his trial but modified the judgment to provide a punishment of life imprisonment. *Id.* at 755. Sirhan remains

incarcerated at this time. *See Sirhan Bishara Sirhan*, CDCR INMATE LOCATOR, <https://inmatelocator.cdcr.ca.gov/Details.aspx?ID=B21014> (last visited Oct. 23, 2020). A copy of the incarceration report is attached as Exhibit 1.

Date	Location of Attack	U.S. Victims' Names
09/05/1972	Munich	David Berger

5. David Berger was “an American/Israeli citizen who was one of the 11 Israeli athletes murdered at the 1972 Olympic Games in Munich, Germany,” according to a U.S. National Park Service website describing the David Berger National Memorial. *See* <https://www.nps.gov/dabe/learn/historyculture/david-berger-sculpture.htm>. The Memorial subpage describes the terror attack and states:

The Palestinian terrorists were led by Luttif Afif, his deputy Yusuf Nazzal, and other Black September members Adnan Al-Gashey and his cousin Jamal Al-Gashey, Afif Ahmed Hamid, Khalid Jawad, Ahmed Chic Thaa, and Mohammed Safady.

See <https://www.nps.gov/dabe/tragedy-in-munich.htm>. Copies of the Memorial’s subpages are attached as Exhibit 2.

6. Defendants’ documents confirm that Mohammed Masalha and Yusuf Nazzal died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45. Other information (such as Wikipedia) indicates that the following terrorists also died perpetrating the attack:

- Luttif Afif
- Afif Ahmed Hamid
- Khalid Jawad
- Ahmed Chic Thaa

Confirmation from defendants publicly available documents is not readily available. Discovery would reveal whether their families have received payment by reason of their deaths.

Date	Location of Attack	U.S. Victims' Names
03/02/1973	Khartoum	Cleo Noel George C. Moore

7. U.S. Ambassador to Sudan Cleo A. Noel, Jr. and Deputy Chief of Mission George C. Moore “were murdered by Black September Palestinian guerillas at the Saudi Arabian Embassy in Khartoum on March 2, [1973].” *Noel and Moore Honored with Department’s Highest Award*, Dep’t of State Newsletter at 44 (Aug./Sept. 1973). A copy Newsletter is attached as Exhibit 3. The State Department concluded that this “operation was planned and carried out with the full knowledge and personal approval of Yasir Arafat, Chairman of the Palestine Liberation Organization (PLO).” Intelligence Memorandum, “The Seizure of the Saudi Arabian Embassy in Khartoum,” (June 1973), *reprinted in* U.S. Dep’t of State, Foreign Relations of the United States, 1969–76, Volume E-6, Documents on Africa, 1973-1976, <https://history.state.gov/historicaldocuments/frus1969-76ve06/d217>. A copy of the Memorandum is attached as Exhibit 4.

8. According to contemporaneous State Department reports, the eight Palestinian terrorists were tried, convicted, and sentenced to life in prison; however, Sudan’s President “commuted to seven years the life sentences of the eight Palestine terrorists . . . and released them ‘to the PLO’ for execution of the sentences.” Briefing Memorandum From the Assistant Secretary of State for African Affairs to the Under Secretary of State, “U.S. Reaction to Sudanese Decision re Eight Palestinian Terrorists” (July 1, 1974), *reprinted in* U.S. Dep’t of State, Foreign Relations of the United States, 1969–76, Volume E-6, Documents on Africa, 1973-1976, <https://history.state.gov/historicaldocuments/frus1969-76ve06/d217>. A copy of the document is attached as Exhibit 5.

9. My colleagues and I have searched for the names of the eight convicted terrorists, but they are not readily available from public sources. As these individuals acted with the

knowledge of the PLO's most senior official and were released into the PLO's custody, discovery would reveal their identities and whether they or their designees have received payment by reason of their imprisonment.

Date	Location of Attack	U.S. Victims' Names
03/11/1978	Tel Aviv	Gail Rubin

10. Gail Rubin was murdered on March 11, 1978, in the "Coastal Road massacre," in which "a group of terrorists from the Fatah Movement, led by Dalal Said Mohammad al-Mughrabi murdered Rubin, "an American tourist" and 37 others. *See Incitement to Murder by the Palestinian Authority*, ISRAEL MINISTRY OF FOREIGN AFFAIRS (Mar. 27, 2016), <https://mfa.gov.il/MFA/Press-Room/2016/Pages/Incitement-to-murder-by-the-Palestinian-Authority-27-Mar-2016.aspx>. A copy of the story is attached as Exhibit 6.

11. Dalal Said Mohammad al-Mughrabi is listed as a "martyr" by defendants' Wafa information service. *See* Declaration of A. Spitzen ¶ 45.

Date	Location	U.S. Nationals Killed or Injured
05/14/1979	Tiberias	Haim Mark

12. According to public reports, Haim Mark and his wife, Haya, of New Haven, Connecticut were injured in a PLO bombing attack in Tiberias. *See* David Bedein, *Profile of a US Citizen Killed in Israel by Terrorists*, JEWISH VOICE, <https://thejewishvoice.com/2013/08/profile-of-a-us-citizen-killed-in-israel-by-terrorists/> (last visited Oct. 22, 2020). A copy of the article is attached as Exhibit 7.

13. Westlaw provides a service called PeopleMap that gathers public records related to individuals, such as partial social security numbers, voter registrations and other vital statistics. According to PeopleMap, Haim Mark had a social security number, was registered to vote, and lived in Connecticut. A redacted copy of the PeopleMap report is attached as Exhibit 8.

14. Ziad Abu Ein was convicted for perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location	U.S. Nationals Killed or Injured
05/02/1980	Hebron	Eli Haze'ev (aka James E. Mahon, Jr.)

15. Eli Haze'ev, an American born in New York, was “one of six Jewish victims of the worst Arab attack on Jews since Israel occupied the West Bank of the Jordan River in 1967.” William Claiborne, *Virginia Man's Violent World Ends in West Bank*, WASH. POST. (May 7, 1980). A copy of the article is attached as Exhibit 9. The U.S. National Archives contains his social security application, listing New York as his place of birth. A copy of the U.S. National Archives page is attached as Exhibit 10.

16. The following individuals were convicted for their roles in perpetrating the attack:

- Yasser Hasin Mohammed al-Zaydat
- Adnan Jabbar Mahmoud Jabbar
- Tayseer Mahmoud Taha Tayseer
- Mohammed Abdel Rahman Salah Shubaki

See Declaration of N. Kaufman ¶ 8.

Date	Location	U.S. Nationals Killed or Injured
10/08/1985	Achille Lauro Ship	Leon Klinghoffer

17. On October 7, 1985, four Palestinian hijackers seized the Italian cruise liner Achille Lauro in the Eastern Mediterranean Sea. During the course of the hijacking, they separated Leon Klinghoffer, a U.S. citizen confined to a wheelchair, from the other passengers. *See Klinghoffer v. S.N.C. Achille Lauro*, 937 F.2d 44, 47 (2d Cir. 1991). As confirmed in the conviction of the hijackers, one of the hijackers shot Klinghoffer in the head and chest using a Kalashnikov assault rifle and high-speed armor piercing bullets. The hijackers then forced Achille Lauro's crew

members to throw Klinghoffer's body into the sea and clean the blood-stained deck. The hijackers and their co-conspirators were captured and tried for their crimes by the Italian authorities.

18. The following individuals were convicted and imprisoned as a result of the attack:

- Maged Moussef al-Molqi
- Ibrahim Fatayer Abdelatif
- Ahmed Marrouf al-Assadi
- Issa Mohammed Abbas
- Yusuf Ahmad Yusuf Sa'ad

A translated copy of the Judgment of the High Court of Appeal of Genoa affirming the convictions is attached as Exhibit 11.

Date	Location	U.S. Nationals Killed or Injured
10/09/1994	Jerusalem	Scott Dobberstein

19. Two members of Hamas "armed with assault rifles and hand grenades opened fire on a street crowded with outdoor cafes, killing two people and wounding 13 before being cut down." Gwen Ackerman, *Hamas Says It Was Behind Deadly Attack in Jerusalem*, ASSOC. PRESS (Oct. 10, 1994), <https://apnews.com/article/d7a83c92b411eb10389a866a249efc99>. "One of the wounded was a U.S. diplomat, identified by the U.S. Embassy in Tel Aviv as Scott Dobberstein." *Id.* A copy of the article is attached as Exhibit 12.

20. Dobberstein is currently the Director of the U.S. Agency for International Development in the U.S. Embassy in Mali. *See Key Officers*, U.S. EMBASSY.GOV, <https://ml.usembassy.gov/embassy/bamako/key-officers/> (last visited Oct. 13, 2020). Copies of the homepage for the U.S. Embassy in Mali, and the subpage on the Embassy's key officers are attached as Exhibit 13.

21. Hassan Mahmoud ‘Isa Abbas died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location	U.S. Nationals Killed or Injured
10/10/1994	Lod (abduction); Bir Naballah (execution)	Nachshon Wachsman Esther Wachsman Menashe Yechezkel Wachsman Yitzchak (Tzachi) Wachsman Uriel Wachsman Raphael Wachsman Eliahou Wachsman Chaim (Hayim) Zvi Wachsman

22. “On October 9, 1994, as Nachshon [Wachsman] waited on the side of the road for a ride to visit a friend, four members of Hamas . . . abducted [Wachsman] from a public street near Lod, Israel.” *Wachsman ex rel. Wachsman v. Islamic Republic of Iran*, 603 F. Supp. 2d 148, 152–53 (D.D. C. 2009). After a standoff with Israeli security forces, three of the perpetrators were killed, after which the forces “found [Wachsman] dead in a back room with his hands and legs bound.” *Id.* at 153. Wachsman, his siblings, and his mother (identified above) were all U.S. citizens. *See id.* at 154–55.

23. According to evidence before the Court in *Wachsman*, the following perpetrators were killed as security forces attempted to rescue Wachsman:

- Salah a-Din Hassan Salem Jadallah;
- Hassan Natshe; and
- Abd El Karim Yassin Bader.

Id. at 152–53.

24. Jihad Ya’amur was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location	U.S. Nationals Killed or Injured
12/25/1994	Jerusalem	Sara Greenberg

25. Sara Greenberg, “a 20-year old American student at the University of Michigan, was among the injured” when a suicide bomber detonated a “satchel of explosive near a bus full of Israeli airmen.” Barton Gellman, *Suicide Bomber injured 13 in Jerusalem*, WASH POST. (Dec. 26, 1994), <https://www.washingtonpost.com/archive/politics/1994/12/26/suicide-bomber-injures-13-in-jerusalem/0be195f1-b89f-4bd6-b0db-30d50077bcb0/>. A copy of the article is attached as Exhibit 14.

26. Sara Greenberg’s linked-in page indicates that she attended the University of Michigan from 1992 to 1994 and currently resides in Colorado. A copy of her LinkedIn page is Exhibit 15. According to Westlaw’s PeopleMap (an online service providing information about public records), Greenberg was born in 1974, received a social security number in Pennsylvania in 1975 or 1976, and is registered to vote. A redacted copy of the PeopleMap report is attached as Exhibit 16.

27. Ayman Kamel Radi died perpetrating the attack. *See* Declaration of A. Spitzen at ¶ 45.

Date	Location	U.S. Nationals Killed or Injured
01/22/1995	Netanya	Gila Afriat-Kurtzer

28. U.S. citizen Gila Afriat-Kurtzer was injured in a suicide bombing at the Beit Lid junction near Netanya. *See* Complaint at 15, 80, *Afriat-Kurtzer v. Arab Bank*, No. 05-cv-0388 (NG) (VVP) (Feb. 25, 2005), ECF No. 3; *Almog v. Arab Bank, PLC*, 471 F. Supp. 2d 257, 264 (E.D.N.Y. 2007).

29. According to Westlaw’s PeopleMap (the online service providing information about public records), Gila Afriat-Kurtzer was born in 1974 and received a social security number

in Maryland in 1985 or 1986 in Maryland. A redacted copy of the PeopleMap report is attached as Exhibit 17.

30. Two suicide terrorists died perpetrating the attack:

- Anwar Mohammed Atiyyah Sukar
- Salah Abd al-Hamid Shaker Mohammad

See Declaration of A. Spitzen ¶ 45.

Date	Location	U.S. Nationals Killed or Injured
04/09/1995	Kfar Darom	Seth (Shlomo) Klein Ben-Haim Alisa Flatow

31. “At or about 12:05 p.m. local time, near Kfar Darom in the Gaza Strip, a suicide bomber drove a van loaded with explosives in the number 36 Egged bus, causing an explosion that destroyed the bus.” *Haim v. Islamic Republic of Iran*, 425 F. Supp. 2d 56, 60 (D.D.C. 2006) (quoting and taking judicial notice of *Flatow v. Islamic Republic of Iran*, 999 F. Supp. 1, 9 ¶ 6 (D.D.C. 1998)). The bombing killed U.S. citizen Alisa Flatow and injured U.S. citizen Seth Klein Ben-Haim. *See Haim*, 425 F. Supp. 2d at 60–61; *Flatow*, 999 F. Supp. at 7.

Khaled Mohammad Mahmoud al-Khatib died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location	U.S. Nationals Killed or Injured
08/21/1995	Jerusalem	Joanne Davenney

32. A suicide bombing killed U.S. citizen Joanne Davenney on August 21, 1995, according to Department of Justice testimony reporting on an FBI investigation into her death. *Foreign Operations, Export Financing, and Related Programs Appropriations for Fiscal Year 2000*, S. Comm. on Appropriations, 106th Cong. 58 (1999) (statement of Mark M. Richard, U.S.

Assistant Attorney General). A copy of the testimony presented during the hearing is attached as Exhibit 18.

33. Sufyan Salem Abd Rabbo al-Jabarin died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location	U.S. Nationals Killed or Injured
02/25/1996	Jerusalem	Matthew Eisenfeld Ira Weinstein Leah Stein Mousa Sara Duker

34. U.S. citizens Matthew Eisenfeld, Sara Duker, and Ira Weinstein were killed when a suicide terrorist “detonated explosives which, at the direction of Hamas, he had carried on the bus concealed in a travel bag, resulting in the complete destruction of the bus and hurling debris in excess of 100 meters.” *Eisenfeld v. Islamic Republic of Iran*, 172 F. Supp. 2d 1, 4 (D.D.C. 2000); *see Weinstein v. Islamic Republic of Iran*, 184 F. Supp. 2d 13, 15 (D.D.C. 2002). American Leah Stein Mousa was also injured in the attack. *See Mousa v. Islamic Republic of Iran*, 238 F. Supp. 2d 1, 3–5 (D.D.C. 2001).

35. Magdi Mohammad Abu Wardah died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

36. The following individuals were convicted or pled guilty for their roles in perpetrating the attack:

- Ayman Mohammed Nazmi Abd al-Jalil al-Razim
- Mohammed Atiya Mahmoud Abu Warda
- Akram Ibrahim Mahmoud Qawasme
- Hassan Abdel Rahman Hassan Salameh

See Declaration of N. Kaufman ¶ 7–8.

Date	Location	U.S. Nationals Killed or Injured
03/04/1996	Tel Aviv	Lawrence Belkin

37. Gail Belkin, the wife of U.S. citizen Lawrence Belkin, was killed when “a suicide bomber affiliated with the Shafaqi faction of the Palestine Islamic Jihad (“PIJ”) detonated a 40-pound bomb that he was carrying just outside the doors of [a] shopping mall . . . [killing] Gail Belkin and her mother, plus eleven others, mostly women and children” and injuring 125 others. *Belkin v. Islamic Republic of Iran*, 667 F. Supp. 2d 8, 12–13 (D.D.C. 2009).

38. Ramez Abed el-Kader Mohammad Abid died perpetrating the attack. *See* Declaration of A. Spitzel ¶ 45.

Date	Location	U.S. Nationals Killed or Injured
06/09/1996	Beit Shemesh	Yaron Ungar

39. U.S. citizen Yaron Ungar, his wife, and his 9-month-old son were traveling home from a wedding near Beit Shemesh when terrorists connected to Hamas “opened fire on the Ungars’ car with two Kalashnikov machine guns,” killing Yaron Ungar and his wife. *Estates of Ungar ex rel. Strachman v. Palestinian Authority*, 153 F. Supp. 2d 76, 82–83 (D.R.I. 2001).

40. The following individuals were convicted for their roles in perpetrating the attack:
- Raid Fakhri Abu Hamadiyah
 - Jamal Fatah Tzabich Al Hor
 - Rahman Ismai Abdel Rahman Ghaniemat

See Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims’ Names
07/30/1997	Jerusalem (Mahane Yehuda Market)	Leah Stern Joseph Stern Yocheved Kushner Shimson Stern Shaul Stern

41. With regard to the July 30, 1997, attack, the U.S. District Court for the District of Columbia made the following findings of fact:

On Friday, July 30, 1997, two suicide bombers belonging to the Hamas terrorist organization and acting on behalf of Hamas entered the Mahane Yehuda outdoor produce market in downtown Jerusalem, which was crowded with Sabbath-eve shoppers. Each of the bombers carried a briefcase packed with a powerful explosive charge. At a pre-arranged signal, the bombers triggered their explosives. The blasts ripped through the crowded market, killing 15 shoppers, including decedent Leah Stern, and wounding another 168 (hereinafter “the bombing attack”). In a press release, Hamas claimed responsibility for the bombing attack.

. . . As a result of the explosion, [U.S. citizen] Leah Stern suffered horrendous injuries. The explosion caused Leah Stern severe burns, and much of the skin on her face was ripped off by the blast. Leah Stern suffered multiple and diffuse lacerations over the facial area, thorax, abdomen and limbs. Several pieces of shrapnel, specifically nails, lodged in her chin, right breast, right arm, both knees and left thigh. Leah Stern also suffered a gaping abdominal wound which exposed her intestines. Her left leg was covered with burns and lacerations from the explosion, and bones in the lower leg were broken. Leah Stern’s right leg was partially severed at the knee, and shrapnel lodged in the remaining portion of her leg.

. . . Leah Stern expired from her wounds on the scene on July 30, 1997.

Stern v. Islamic Republic of Iran, 271 F. Supp. 2d 286, 289 (D.D.C. 2003) (citations omitted).

Joseph Stern, Yocheved Kushner, Shimson Stern, and Shaul Stern are Leah Stern’s children, are U.S. citizens, and were also injured by the attack. *See id.*

42. Taufik Ali Mohammed Yassin and Muawiya Mohammad Ahmed Jarara died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

43. Moaz Sa’id Ahmed Sa’id Bilal was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
09/04/1997	Jerusalem (Ben Yehuda Street)	Abraham Mendelson Gregg Salzman Stuart Elliot Hersh Avi Elishis Daniel Miller Yael Botvin Diana Campuzano Jenny Rubin Noam Rozenman Deborah Rubin Renay Frym Elena Rozenman Tzvi Rozenman

44. On September 4, 1997, “three Hamas suicide bombers with cases of powerful explosive bombs arrived at the crowded Ben Yehuda Street pedestrian mall in downtown Jerusalem. The bombers packed the bombs with nails, screws, pieces of glass, and chemical poisons to cause maximum pain, suffering, and death.” *Campuzano v. Islamic Republic of Iran*, 281 F. Supp. 2d 258, 261 (D.D.C. 2003) (citations omitted). U.S. citizen Yael Botvin was killed in the attack. *See Foreign Operations, Export Financing, and Related Programs Appropriations for Fiscal Year 2000*, S. Comm. on Appropriations, 106th Cong. 58 (1999) (statement of Mark M. Richard, U.S. Assistant Attorney General). *See supra*, Exhibit 18. The following U.S. citizens were also injured by the attack:

- Diana Campuzano
- Avi Elishis
- Gregg Salzman
- Jenny Rubin
- Daniel Miller
- Abraham Mendelson
- Stuart Hersh

- Noam Rozenman
- Deborah Rubin
- Renay Frym
- Elena Rozenman
- Tzvi Rozenman

See Campuzano, 281 F. Supp. 2d at 261.

45. The following individuals died perpetrating the attack:

- Bashar Mohammad As'ad Sawalha
- Yousef Jameel Ahmad Shuli
- Khalil Ibrahim Tawfiq Sharif

See Declaration of A. Spitzen ¶ 45.

46. Moaz Sa'id Ahmed Sa'id Bilal was convicted for his role in perpetrating the attack.

See Declaration of N. Kaufman ¶ 8.¹

Date	Location of Attack	U.S. Victims' Names
12/31/2000	Jerusalem	Binyamin Kahane

47. U.S. citizen Benyamin Kahane and his wife were killed “when Palestinian snipers opened fire [on them] while they were driving home from Jerusalem on the Ramallah bypass road.”

See Binyamin Zeev Kahane, ISRAEL MINISTRY OF FOREIGN AFFAIRS, <https://mfa.gov.il/MFA/ForeignPolicy/Terrorism/Victims/Pages/Binyamin%20Zeev%20Kahane.aspx>; *Acosta v. The Islamic Republic of Iran*, 574 F. Supp. 2d 15, 19 (D.D.C. 2008) (confirming Kahane’s citizenship). A copy of the story is attached as Exhibit 19.

¹ Bilal was also convicted for his role in perpetrating the attack that severely injured Leah Stern on July 30, 1997.

48. Mustafa Mahmoud Mohamed Masalmani pled guilty for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
03/28/2001	Neve Yamin	Netanel Herskovitz Martin Herskovitz Yaakov Herskovitz Pearl Herskovitz

49. Americans Netanel, Martin, Yaakov, and Pearl Herskovitz were injured when a suicide bomber “blew himself up outside a gas station near Kfar Sava,” outside Tel Aviv, killing two people and injuring four others. Third Amended Complaint at 68, *Strauss v. Crédit Lyonnais*, S.A., No. 06-cv-0702-DLI-RML (E.D.N.Y. Jan. 28, 2008), ECF No. 127; Order on Motion for Summary Judgment, *Strauss v. Crédit Lyonnais*, S.A., No. 06-cv-0702-DLI-RML (E.D.N.Y. Feb. 28, 2013), ECF No. 340 (discussing the Third Amended Complaint).

50. Fadi Attallah Yusuf Amer died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

51. Tareq Muhammad Abd al-Latif Abu Mariam was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
06/01/2001	Tel Aviv (Dolphinarium)	Unnamed Victim

52. On June 1, 2001, a Hamas operative and suicide terrorist detonated himself near a group of people at the entrance to the “Water World” club in the Tel Aviv Dolphinarium, killing 22 and injuring 83 others. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

53. A U.S. national was injured in this attack, according to the U.S. Department of Justice's Office of Justice for Victims of Overseas Terrorism ("OVT"). The OVT investigates such overseas terror attacks and provides services to U.S. citizens or family members of U.S. citizens who suffer direct physical, emotional, or financial harm as a result. 42 U.S.C. §§ 10607e(2), 10603C; 28 C.F.R. § 94.12(u)(1). The OVT does not release the names of such victims, but it publishes the date and location of confirmed attacks harming U.S. citizens or their family members on its website, and the Dolphinarium attack is on the OVT's list. *See DOJ/OVT Interactive World Map - Near East*, JUSTICE.GOV, <https://www.justice.gov/nsd-ovt/dojovt-interactive-world-map/near-east> (last visited Oct. 11, 2020). A copy of the DOJ/OVT list is attached as Exhibit 21.

54. Said Hussein Hasan Hutari died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

55. Raed Al-Hutari was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
08/09/2001	Jerusalem (Sbarro Restaurant)	Steven Greenbaum Alan Hayman Shirlee Hayman Malka Chana Roth Frimet Roth Elisheva Roth Pesia Roth Rivka Roth Rappaport Zvi Roth Shaya Roth Pinchas Roth Judith Lilian Greenbaum

56. "On August 9, 2001, an unremarkable day in Jerusalem was rendered tragically memorable when [a suicide terrorist] detonated a ten-pound bomb at a Sbarro restaurant. The

resulting explosion killed 15 people” *Roth v. Islamic Republic of Iran*, 78 F. Supp. 3d 379, 387–88 (D.D.C. 2015).

57. The following U.S. citizens were either killed or injured by the attack:

- Malka Chana Roth
- Frimet Roth
- Elisheva Roth
- Pesia Roth
- Rivka Roth Rappaport
- Zvi Roth
- Shaya Roth
- Pinchas Roth
- Judith Lilian Greenbaum
- Steven Greenbaum
- Alan Hayman
- Shirlee Hayman

See id. at 389–90; *Greenbaum v. Islamic Republic of Iran*, 451 F. Supp. 2d 90, 96, 108 (D.D.C. 2006).

58. Izz al-Din Shuheil Ahmad al-Masri died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

59. The following terrorists pled guilty for their roles in perpetrating the attack:

- Ahlam al-Tamini
- Bilal Yaqub Ahmed Barghouti
- Muhammad Waal Muhammad Daghlas

See Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
11/04/2001	Jerusalem (French Hill)	Ilana Schertzman Cohen Leslie Schertzman Donald Schertzman Daniel Schertzman Ariella Schertzman Fisher Abraham Schertzman Yehuda Schertzman Chana Aidel Miller Myriam Miller Tova Miller

60. “On the afternoon of November 4, 2001, a Palestinian gunman opened fire on an Israeli bus traveling through the French Hill neighborhood of Jerusalem.” *Schertzman Cohen v. Islamic Republic of Iran*, No. CV 17-1214 (JEB), 2019 WL 3037868, at *1 (D.D.C. July 11, 2019).

The following U.S. citizens were injured by the attack:

- Ilana Schertzman Cohen
- Leslie Schertzman
- Donald Schertzman
- Daniel Schertzman
- Ariella Schertzman Fisher
- Abraham Schertzman
- Yehuda Schertzman
- Chana Aidel Miller
- Myriam Miller
- Tova Miller

See *id.* at *10.

61. Twenty additional individuals filed actions under 18 U.S.C. § 2333 as U.S. nationals injured by this attack. *See Abecassis v. Wyatt*, 704 F. Supp. 2d 623, 635 n.4 (S.D. Tex. 2010); Complaint at ¶ 293, *Abecassis v. Wyatt*, 704 F. Supp. 2d 623, 635 n.4 (S.D. Tex.), No. 4:09-cv-03884 (S.D. Tex. Jan. 2, 2009), ECF No. 3; *Linde v. Arab Bank, PLC*, 384 F. Supp. 2d 571, 575 (E.D.N.Y. 2005); Complaint at ¶¶ 118–28, *Coulter v. Arab Bank, PLC*, 384 F. Supp. 2d 571 (E.D.N.Y. Jan. 21, 2005), ECF No. 1.

62. Hatem Yaqin Ayes Shweiki died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
12/01/2001	Jerusalem (Ben Yehuda Street)	Jason Kirschenbaum Isabelle Kirschenbaum Martin Kirschenbaum Joshua Kirschenbaum David Kirschenbaum Danielle Teitlebaum

63. On December 1, 2001, a suicide bombing on Ben Yehuda Street in Jerusalem resulted in the deaths of 10 people and injury to 120 others. *See Kirschenbaum v. Islamic Republic of Iran*, 572 F. Supp. 2d 200, 205–06 (D.D.C. 2008).

64. The following U.S. citizens were injured by the attack:

- Jason Kirschenbaum
- Isabelle Kirschenbaum
- Martin Kirschenbaum
- Joshua Kirschenbaum
- David Kirschenbaum
- Danielle Teitlebaum

See id. at 204–05.

65. Fifteen additional individuals filed an action under 18 U.S.C. § 2333 as U.S. nationals injured by this attack. *See Strauss v. Crédit Lyonnais, S.A.*, 925 F. Supp. 2d 414, 418 (E.D.N.Y. 2013); Complaint at ¶¶ 360–438, *Strauss v. Crédit Lyonnais, S.A.*, 925 F. Supp. 2d 414 (E.D.N.Y. 2013), No. 1:06-cv-00702-DLI-RML (E.D.N.Y. Feb. 16, 2006), ECF No. 1.

66. Two suicide terrorists died perpetrating the attack: Nabil Mahmoud Al-Halabiah; and Osama Mohammed Bahr. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
12/12/2001	Near Emmanuel	Benyamin Andrew Pilant Rebecca Pilant Samuel Philips Haistings Pilant Robert Eliot Haistings Pilant Elizabeth Anna Haistings Pilant

67. On December 12, 2001, a suicide terrorist detonated a roadside bomb next to the Number 189 bus, causing it to swerve off of the road. He then opened fire with an automatic assault rifle, killing and injuring many individuals.

68. Among those injured by the attack were U.S. citizens:

- Benyamin Andrew Pilant
- Rebecca Pilant
- Samuel Philips Haistings Pilant
- Robert Eliot Haistings Pilant
- Elizabeth Anna Haistings Pilant

Based on their injuries, the above-named victims brought a federal action under 18 U.S.C. § 1605A and other statutes against the Islamic Republic of Iran and other parties. *See* Complaint ¶¶ 23–24, *Pilant v. Islamic Republic of Iran*, No. 11-cv-1077-RMC (D.D.C. Feb. 21, 2012), ECF No. 3. The complaint, signed by attorneys Gavriel Mairone of MM-Law LLC and Michael J. Miller of The Miller Firm LLC, states that the above-named victims were U.S. citizens. *See id.*

69. Asem Yousef Mohamed Hamed (aka Assem Yousef Rihan) died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
01/17/2002	Hadera	Aharon Ellis Prince Shaleak Mellonee Ellis Jordan Ellis Francine Ellis Lynne Ellis Yihonadav Ellis Tsaphirah Ellis Aron Carter Reuven Carter Shanon Carter Shayrah Carter Amitai Carter Yoshavyah Carter Leslye Knox

70. Judge Marrero of this Court made the following findings of fact about the January 17, 2002 attack:

On January 17, 2002, at approximately 10:45 p.m., an agent of the PLO and PA arrived at the banquet hall with an M-16 assault rifle, three clips of bullets, and a hand grenade. The agent shot a security guard at the entrance to the hall, and then entered the hall and opened fire on the crowd. There were approximately 180 people present. Six people were killed and approximately thirty were injured.

Knox v. Palestine Liberation Org., 442 F. Supp. 2d 62, 66 (S.D.N.Y. 2006).

71. The following U.S. citizens were either killed or injured by the attack:

- Aharon Ellis
- Prince Shaleak
- Mellonee Ellis
- Jordan Ellis
- Francine Ellis
- Lynne Ellis

- Yihonadav Ellis
- Tsaphirah Ellis
- Aron Carter
- Reuven Carter
- Shanon Carter
- Shayrah Carter
- Amitai Carter
- Yoshavyah Carter
- Leslye Knox

See id. at 81.

72. Abdul Salaam Sadek Mer'y Hassoun died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

73. Ahmed Ali Mahmoud Abu-Khader and Nasser Mahmoud Ahmed Aweis were convicted or pled guilty for their roles in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 7–8.

Date	Location of Attack	U.S. Victims' Names
01/22/2002	Jerusalem (Jaffa Road)	Shayna Gould Ronald Gould Elise Gould Jessica Gould Rine Shmuel Waldman Henna Waldman Morris Waldman

74. The following U.S. citizens received a judgment in this case under 18 U.S.C. § 2333 stemming from injuries inflicted by the attack

- Shayna Gould
- Ronald Gould

- Elise Gould
- Jessica Gould Rine
- Shmuel Waldman
- Henna Waldman
- Morris Waldman

See Sokolow v. Palestine Liberation Org., No. 04-cv-0397 (GBD), 2015 WL 10852003, at *1 (S.D.N.Y. Oct. 1, 2015).

75. Said Ibrahim Said Ramadan died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

76. The following individuals were convicted or pled guilty for their roles in perpetrating the attack:

- Mohamed Sami Ibrahim Abdullah
- Ahmed Taleb Mustafa Al-Barghouti
- Majed Isma'il Mohamed Al-Masri
- Nasser Mahmoud Ahmed Aweis²
- Fares Sadeq Mohamed Ghanem
- Ibrahim Adnan Najib Abdel Hai
- Mohamed Abdel Rahman Salem Mousleh
- Bashar Barghouti

See Declaration of N. Kaufman ¶ 7–8.

² Aweis was also convicted for his role in perpetrating the attack that took the life of Aharon Ellis on January 17, 2002.

Date	Location of Attack	U.S. Victims' Names
01/27/2002	Jerusalem (Jaffa Road)	Mark Sokolow Elana Sokolow Jamie Sokolow Lauren Sokolow Rena Sokolow

77. The following U.S. citizens received a judgment in this case under 18 U.S.C. § 2333 stemming from injuries inflicted by the attack:

- Mark Sokolow
- Elana Sokolow
- Jamie Sokolow
- Lauren Sokolow
- Rena Sokolow

See Sokolow v. Palestine Liberation Org., No. 04-cv-0397 (GBD), 2015 WL 10852003, at *1 (S.D.N.Y. Oct. 1, 2015).

78. Wafa Ali Khalil Idris died perpetrating this attack. *See* Declaration of A. Spitzen ¶ 45.

79. Munzar Mahmoud Khalil Noor was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
02/16/2002	Karnei Shomron	Steven Braun Chana Friedman Keren Shatsky Leor Thaler Rachel Thaler Hillel Trattner

80. “On February 16, 2002, a [suicide terrorist] attacked a pizzeria in Karnei Shomron, a town in the West Bank. The bombing killed United States citizens Keren Shatsky and Rachel

Thaler and wounded United States citizens Steven Braun, Chana Friedman, Leor Thaler, and Hillel Trattner” *Shatsky v. Palestine Liberation Org.*, 955 F.3d 1016, 1022 (D.C. Cir. 2020).

81. Sadek Abdel Hafez died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims’ Names
02/18/2002	Kibbutz Kissufim	Moshe Saperstein

82. On February 18, 2002, a member of the Al Aqsa Martyrs Brigades shot Moshe Saperstein and killed three others. *Saperstein v. Palestinian Auth.*, No. 04-20225-CIV, 2008 WL 4467535, at *4 (S.D. Fla. Sept. 29, 2008). Saperstein received a final judgment against the PLO and PA for damages under 18 U.S.C. § 2333 stemming from this attack. *See* Final Judgment in Favor of Plaintiff Moshe Saperstein, *Saperstein v. Palestinian Auth.*, No. 04-cv-20225-SEITZ/TURNOFF (S.D. Fla. Mar. 8, 2007), ECF No. 129; Third Amended Complaint, *Saperstein v. Palestinian Auth.*, No. 04-cv-20225-SEITZ/TURNOFF (S.D. Fla. Aug. 14, 2006), ECF No. 68.

83. Mohammad Mahmoud Mohammad Al-Kasir died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

84. Jihad Naim Mutzran and Nizar Khadar Mohammed Dahliz were convicted or pled guilty for their roles in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 7–8.

Date	Location of Attack	U.S. Victims’ Names
03/09/2002	Jerusalem	Asael Anicca Joseph Cohen

85. On March 9, 2002, a suicide terrorist detonated a bomb in Café Moment in Jerusalem, killing 11 and injuring 58. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

86. Among those injured by the attack were U.S. citizens Asael Anicca and Joseph Cohen. Based on their injuries, the above-named victims brought a federal action under 18 U.S.C. § 2333 and other statutes against Chevron Corporation and other defendants. *See* Second Amended Complaint, *Brill v. Chevron Corp.*, No. 15-cv-4916-JD (N.D. Cal. May 8, 2017), ECF No. 72. The complaint, signed by attorney Raymond Paul Boucher of Boucher LLP, states that both Anicca and Cohen were U.S. citizens. *See id.* at 61, 83.

87. Fouad Ismail Al-Hourani died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
03/21/2002	Jerusalem	Alan J. Bauer Yehonathon Bauer Binyamin Bauer Yehuda Bauer Daniel Bauer

88. The following U.S. citizens received a judgment in this case under 18 U.S.C. § 2333 stemming from injuries inflicted by the attack:

- Alan J. Bauer
- Yehonathon Bauer
- Binyamin Bauer
- Yehuda Bauer
- Daniel Yichye Bauer

See Sokolow v. Palestine Liberation Org., No. 04-cv-0397 (GBD), 2015 WL 10852003, at *1 (S.D.N.Y. Oct. 1, 2015).

89. Mohammed Mashoor Mohammed Hashaika died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

90. The following terrorists were convicted or pled guilty for their roles in perpetrating the attack.

- Kahira Sa'id Al-Sa'di
- Abdel Karim Ratab Yunis Aweis
- Nasser Jamal Mussa Shawish (aka Adham)
- Sana'a Mohamed Shehadeh

See Declaration of N. Kaufman ¶¶ 7–8.

Date	Location of Attack	U.S. Victims' Names
03/24/2002	Near Umm Safah	Esther Klieman

91. “On March 24, 2002, terrorists with machine guns attacked a public bus near Neve Tzuf, an Israeli settlement in the West Bank. Esther Klieman, an American schoolteacher, was shot and killed. In the aftermath, Al Aqsa Martyrs Brigade, an organization designated as a Foreign Terrorist Organization by the U.S. Department of State, claimed responsibility for the attack.” *Estate of Klieman v. Palestinian Auth.*, 82 F. Supp. 3d 237, 240 (D.D.C. 2015), *aff'd sub nom. Estate of Klieman ex rel. Kesner v. Palestinian Auth.*, 923 F.3d 1115 (D.C. Cir. 2019), *cert. granted, judgment vacated*, 140 S. Ct. 2713 (2020), *and opinion reinstated in part*, No. 15-7034, 2020 WL 5361653 (D.C. Cir. Aug. 18, 2020).

92. The following terrorists pled guilty for their roles in perpetrating the attack:

- Tamar Rassem Salim Rimawi
- Hussam Abdul-Kader Ahmad Halabi
- Ahmed Hamad Rushdie Hadib

See Declaration of N. Kaufman ¶¶ 7.

Date	Location of Attack	U.S. Victims' Names
03/27/2002	Netanya (Park Hotel)	Moshe Naimi Hannah Rogen

93. On March 27, 2002, a Hamas suicide terrorist detonated a bomb at the Park Hotel in Netanya, killing 29 people and injuring 144. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

94. Among those injured by the attack were U.S. citizens Moshe Naimi and Hannah Rogen. Based on their injuries, the above-named victims brought federal actions under 18 U.S.C. § 2333 and other statutes against Arab Bank, PLC. *See* Second Amended Complaint at 19–20, *Little v. Arab Bank, PLC*, No. 04-cv-5449 (NG) (VVP) (E.D.N.Y. Apr. 10, 2007), ECF No. 307; Complaint, *Coulter v. Arab Bank, PLC*, No. 05-cv-0365 (E.D.N.Y. Jan. 21, 2005), ECF No. 1. The complaints, signed by attorneys Mark S. Werbner of Sayles Werbner P.C. and Gary M. Osen of Osen & Associate, LLC, state that the above-named victims were U.S. citizens. *See* Second Amended Complaint at 20, 107; Complaint at 67, 109.

95. Abdel-Basit Mohammed Qasem Odeh died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

96. Abbas al-Sayed was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
03/31/2002	Efrat	Deborah Fenichel Ilanit Fenichel Moshe Fenichel Netanel Fenichel

97. Netanel Fenichel was driving with his parents in Efrat when a suicide terrorist detonated an explosive device as the car was driving past him. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

98. As a result of the attack, the following U.S. citizens were injured:

- Netanel Fenichel
- Deborah Fenichel
- Ilanit Fenichel
- Moshe Fenichel

Based on their injuries, the above-named victims brought a federal action under 18 U.S.C. § 2333 and other statutes against Arab Bank, PLC. *See* Second Amended Complaint at 15–16, *Little v. Arab Bank, PLC*, No. 04-cv-5449 (NG) (VVP) (E.D.N.Y. Apr. 10, 2007), ECF No. 307. The complaint, signed by attorney Mark S. Werbner of Sayles Werbner P.C., states that the above-named victims were U.S. citizens. *See id.* at 15–16, 107.

99. Jamil Khalaf Mustafa Hamed died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
05/07/2002	Rishon LeZion	Esther Bablar Jacqueline Chambers Levana Cohen Harooch

100. On May 7, 2002 a suicide terrorist detonated a bomb in the Sheffield Club, a billiards club in Rishon LeZion, killing 16, and injuring 51. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

101. U.S. citizen Esther Bablar was wounded in the attack, and U.S. citizens Jacqueline Chambers and Levana Cohen Harooch were also injured by the attack. *See* Declaration of J. Chambers, attached as Exhibit 22.

102. Mohammad Jamil Muamar, was killed while perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

103. Muhammad Imran was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
05/19/2002	Netanya	Gloria Kushner

104. U.S. citizen Gloria Kushner was injured in an open-air market in Netanya when a suicide terrorist blew himself up between the stalls, killing 3 and injuring 60. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

105. Based on her injuries, Kushner brought a federal action under 18 U.S.C. § 2333 and other statutes against Arab Bank, PLC. *See* First Amended Complaint, *Linde v. Arab Bank, PLC*, No. 04-cv-2799 (NG) (ASC) (E.D.N.Y. Aug. 10, 2004), ECF No. 4. The complaint, signed by attorney David H. Wollmuth of Wollmuth Maher & Deutsch LLP, states that Kushner was a U.S. citizen. *See id.* at 28, 67.

106. Osama Adel Mohammad Beshkar died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

107. Allam Ahmad Asad Kaabi and Du'a Ziyad Jamil Jayusi pled guilty for their roles in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
06/18/2002	Gilo	Faye Chana Benjaminson Gila Aluf Sheila Gottlieb Moshe Gottlieb Seymour Gottlieb

108. On June 18, 2002, a suicide terrorist connected to Hamas boarded the Egged Bus No. 32 near Gilo and detonated an explosive device, killing 19 and injuring 50. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

109. As a result of the attack, the following U.S. citizens were killed or injured:

- Moshe Gottlieb
- Sheila Gottlieb
- Seymour Gottlieb
- Faye Chana Benjaminson
- Gila Aluf

Based on their injuries, the above-named victims brought federal actions under 18 U.S.C. § 2333 and other statutes against Arab Bank, PLC. *See* Second Amended Complaint, *Little v. Arab Bank, PLC*, No. 04-cv-5449 (NG) (VVP) (E.D.N.Y. Apr. 10, 2007), ECF No. 307; Complaint, *Coulter v. Arab Bank, PLC*, No. 05-cv-0365 (E.D.N.Y. Jan. 21, 2005), ECF No. 1. The complaints, signed by attorneys Mark S. Werbner of Sayles Werbner P.C. and Gary M. Osen of Osen & Associate,

LLC, state that the above-named victims were U.S. citizens. *See* Second Amended Complaint at 17, 107; Complaint at 69, 109.

110. Mohammed Hazza Al-Ghoul died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

111. Fahmi Id Ramdan Mashahara was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
06/19/2002	Jerusalem (French Hill)	Leonard Mandelkorn

112. U.S. citizen Leonard Mandelkorn received a judgment in this case under 18 U.S.C. § 2333 stemming from injuries caused by the attack. *See Sokolow v. Palestine Liberation Org.*, No. 04-cv-0397 (GBD), 2015 WL 10852003, at *2 (S.D.N.Y. Oct. 1, 2015).

113. Sa'id Wadah Hamid Awada, was killed while perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45. The evidence at trial showed that Awada was seventeen years old at the time of his death.

Date	Location of Attack	U.S. Victims' Names
07/30/2002	Jerusalem	Meshulam Ben Meir

114. On July 30, 2002, U.S. citizen Meshulam Ben Meir was attacked by a Palestinian suicide terrorist who detonated a bomb about five meters away from him. As a result of this attack, Meir suffered serious physical and emotional injuries. *See Miller v. Arab Bank, PLC*, 372 F. Supp. 3d 33, 41 (E.D.N.Y. 2019); Complaint at 5, *Pam v. Arab Bank*, No. 18-cv-4670-RPK-PK (E.D.N.Y. Aug. 17, 2018), ECF No. 1.

115. Hazem Atta Sarasra died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
07/31/2002	Jerusalem (Hebrew University)	Marla Anne Bennett Benjamin Blutstein Dina Carter Janis Ruth Coulter David Gritz Norman Gritz Diane Coulter Miller Robert Coulter, Jr. Robert Coulter, Sr. Larry Carter Shaun Coffel Richard Blutstein Katherine Baker Rebekah Blutstein

116. The following U.S. citizens received a judgment in this case under 18 U.S.C. § 2333 caused by injuries inflicted by the attack:

- Katherine Baker
- Benjamin Blutstein (estate of)
- Richard Blutstein
- Diane Carter (estate of)
- Larry Carter
- Shaun Coffel
- Robert L. Coulter, Jr.
- Diane Coulter Miller
- Robert L. Coulter, Sr.
- Janis Ruth Coulter (estate of)
- Norman Gritz (estate of)
- David Gritz (estate of)

See Sokolow v. Palestine Liberation Org., No. 04-cv-0397 (GBD), 2015 WL 10852003, at *2–3 (S.D.N.Y. Oct. 1, 2015).

117. The following individuals were convicted or pled guilty for their roles in perpetrating the attack:

- Abdullah Ghaleb Abdullah Barghouti
- Ibrahim Jamil Abd al-Ghani Hamed
- Ahmed Taleb Moustafa Barghouti

See Declaration of N. Kaufman ¶¶ 7–8.

118. The evidence at trial proved that the following individuals were convicted for their roles in perpetrating the attack and paid by Defendants by reason of their imprisonment:

- Mohammed Arman (Plaintiffs’ Trial Exs. 39, 72, 1035, 1120)
- Wael al-Qassim (Plaintiffs’ Trial Exs. 41, 71, 152, 1120)
- Walid Anjas (Plaintiffs’ Trial Exs. 42, 138, 165, 1037, 1120)
- Mohamed Awda (Plaintiffs’ Trial Exs. 86, 151, 1120)

Date	Location of Attack	U.S. Victims’ Names
08/31/2002	Har Bracha	Jacob Rand Dalit Rand

119. On August 31, 2002, U.S. citizens Jacob and Dalit Rand were walking from synagogue in the Bracha Settlement near Nablus when a suicide terrorist opened fire at them, seriously injuring both. Based on their injuries, these victims brought a federal action under 18 U.S.C. § 2333 and other statutes against Arab Bank, PLC. *See* Second Amended Complaint, *Little v. Arab Bank, PLC*, No. 04-cv-5449 (NG) (VVP) (E.D.N.Y. Apr. 10, 2007), ECF No. 307. The complaint, signed by attorney Mark S. Werbner of Sayles Werbner P.C., states that the above-named victims were U.S. citizens. *See id.* at 60, 107.

120. Yusef Ibrahim Hasan Atalla died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
09/19/2002	Tel Aviv	Avraham Sisso

121. “On September 19, 2002, shortly before 12:55 p.m., [a suicide terrorist] boarded a number 4 bus near 94 Allenby Street in Tel Aviv. Just as the bus began to move, [the suicide terrorist] activated an explosive device that he was wearing,” killing six and injuring 84 others. *Sisso v. Islamic Republic of Iran*, No. CIV.A. 05 0394 (JDB), 2007 WL 2007582, at *2 (D.D.C. July 5, 2007) (internal citation omitted). One of those killed was Rozana Sisso, the mother of U.S. citizen Avraham Sisso. *See id.* at *1–2.

122. Iyad Naeem Radad died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

123. Mahmud Hamad Mahmud Sharitah pled guilty for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
10/27/2002	Ariel	Yitzhak Zahavy Julie Zahavy Tzvee Zahavy Bernice Zahavy

124. On October 27, 2002, a suicide terrorist entered a gas station near Ariel and detonated an explosive belt. As a result of the attack, the following U.S. citizens were injured:

- Yitzhak Zahavy
- Julie Zahavy
- Tzvee Zahavy
- Bernice Zahavy

Declaration of Y. Zahavy, attached as Exhibit 23.

125. Muhammed Kzid Faysal Bastami died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
11/28/2002	Beit Shean	Bat Zion Levi

126. On November 28, 2002, two Al Aqsa Martyrs Brigade terrorists entered a polling station in Beit Shean, killing six and wounding more than 20, including Jacky Levi, the wife of U.S. citizen Bat Zion Levi. Based on his injuries, Bat Zion Levi brought a federal action under 18 U.S.C. § 2333 and other statutes against Chevron Corporation and other defendants. *See* Second Amended Complaint, *Almog v. Arab Bank*, No. 04-cv-5564-BMC-PK (E.D.N.Y. Apr. 20, 2015), ECF No. 1250. The complaint, signed by attorney John M. Eubanks of Motley Ric LLC, states that Levi was a U.S. citizen. *See id.* at 17, 20.

127. Omar Muhammad Awadh Abu al-Rab and Yousef Muhammad Ragheb Abu al-Rab died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
01/29/2003	Route 60, Israel	Jacob Steinmetz Deborah Steinmetz

128. U.S. citizens Jacob Steinmetz and Deborah Steinmetz were injured in a terrorist attack on January 29, 2003, when two masked men shot at their car as they were driving on Route 60 in Israel. *See Weiss v. Nat'l Westminster Bank PLC*, 453 F. Supp .2d 609, 614 (E.D.N.Y. 2006); Declaration of N. Kaufman ¶ 10 (discussing court documents that note Jacob Steinmetz as a victim in this attack).

129. The following terrorists were convicted or pled guilty for their roles in perpetrating the attack:

- Hisham Abd al-Qader Ibrahim Hijazi
- Jaser Isma'il Musa al-Barguthi

- Muayad Hamad

See Declaration of N. Kaufman ¶¶ 7–8.

Date	Location of Attack	U.S. Victims' Names
03/05/2003	Haifa	Abigail Litle Philip Litle Heidi Litle Elishua Litle Hannah Litle Josiah Litle Noah Litle

130. The following U.S. citizens received a judgment in the United States District Court for the Eastern District of New York under 18 U.S.C. § 2333 for injuries caused by the attack:

- Abigail Litle
- Philip Litle
- Heidi Litle
- Elishua Litle
- Hannah Litle
- Josiah Litle
- Noah Litle

See Stipulation to Enter Final Judgment, *Linde v. Arab Bank*, No. 06-cv-1623 (BMC) (PK) (E.D.N.Y. May 24, 2016), ECF No. 1098.

131. Mahmoud Omran Al-Qawasmeh died perpetrating the attack. See Declaration of A. Spitzen ¶¶ 45.

132. The following individuals pled guilty for their roles in perpetrating the attack:

- Fadi al-Ja'aba
- Munir Rajbi
- Mu'az Waal Taleb-Abu Sharakh

See Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
03/07/2003	Kiryat Arba	Eli Natan Debra Ruth Horovitz Moshe Horovitz Leah Horovitz Shulamite Horovitz Batsheva Horovitz Nechama Horovitz Tvi Horovitz Ari Horovitz David Horovitz Tovi Horovitz Uri Horovitz Bernice Wolf Stanley Wolf Brian Wolf

133. U.S. citizens Eli Natan and Debra Ruth Horovitz were murdered in their apartment in Kiryat Arba when terrorists disguised as students infiltrated Kiryat Arba and killed both of them.

The following U.S. citizens were also injured by the attack:

- Eli Natan
- Debra (“Dina”) Ruth Horovitz
- Moshe Horovitz
- Leah Horovitz
- Shulamite Horovitz
- Batsheva Horovitz
- Nechama Horovitz
- Tvi Horovitz
- Ari Horovitz
- David Horovitz
- Tovi Horovitz

- Uri Horovitz
- Bernice Wolf
- Stanley Wolf
- Brian Wolf

Based on their injuries, the above-named victims brought a federal action under 18 U.S.C. § 2333 and other statutes against Arab Bank, PLC. *See* Second Amended Complaint, *Little v. Arab Bank, PLC*, No. 04-cv-5449 (NG) (VVP) (E.D.N.Y. Apr. 10, 2007), ECF No. 307. The complaint, signed by attorney Mark S. Werbner of Sayles Werbner P.C., states that the above-named victims were U.S. citizens. *See id.* at 23–27, 107; Declaration of N. Kaufman ¶ 10 (discussing court documents noting Eli and Dina Horovitz as victims in this attack).

134. Muhsin Muhammad Omar al-Qawasmeh and Fadi Ziyad Muhammad Fakhoury died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

135. Abdallah Ahmad Abd Abu Seif pled guilty for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
04/30/2003	Tel Aviv	Daniel Rozenstein Jack Baxter Julia Rozenstein Schon Fran Strauss Baxter Billy Baxter Catharine Baxter Barbara Psaroudis Alexander Rozenstein Esther Rozenstein

136. On April 30, 2003, a suicide terrorist detonated an explosive device at the entrance of Mike's Place, a pub in Tel Aviv. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496

(RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

137. The following U.S. citizens were injured by the attack:

- Daniel Rozenstein
- Jack Baxter
- Julia Rozenstein Schon
- Fran Strauss Baxter
- Billy Baxter
- Catharine Baxter
- Barbara Psaroudis
- Alexander Rozenstein
- Esther Rozenstein

Based on their injuries, the above-named victims brought federal actions under 18 U.S.C. § 2333 and other statutes against Arab Bank, PLC and Cairo Amman Bank. *See* Second Amended Complaint, *Little v. Arab Bank, PLC*, No. 04-cv-5449 (NG) (VVP) (E.D.N.Y. Apr. 10, 2007), ECF No. 307; Amended Complaint, *Averbach v. Cairo Amman Bank*, No. 19-cv-00004 (S.D.N.Y. Apr. 8, 2020), ECF No. 63. The complaints, signed by attorneys Mark S. Werbner of Sayles Werbner P.C. and Ari Ungar of Osen LLC, state that the above-named victims were U.S. citizens. *See* Second Amended Complaint at 12–14, 107; Amended Complaint 35–37, 169.

138. Asef Mohammad Hanif and Omar Sharif Khan died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
05/18/2003	Jerusalem	Steven Averbach Tamir Averbach Devir Averbach Sean Averbach Adam Averbach David Averbach Maida Averbach Michael Averbach Eileen Sapadin

139. On May 18, 2003, a suicide terrorist detonated an explosive device on a bus on French Hill in Jerusalem. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

140. The following U.S. citizens were either killed or injured by the attack:

- Steven Averbach
- Tamir Averbach
- Devir Averbach
- Sean Averbach
- Adam Averbach
- David Averbach
- Maida Averbach
- Michael Averbach
- Eileen Sapadin

Based on their injuries, the above-named victims brought a federal action under 18 U.S.C. § 2333 and other statutes against Cairo Amman Bank. *See Amended Complaint, Averbach v. Cairo Amman Bank*, No. 19-cv-00004 (S.D.N.Y. Apr. 8, 2020), ECF No. 63. The complaint, signed by

attorney Ari Ungar of Osen LLC, states that the above-named victims were U.S. citizens. *See id.* at 3–10, 169.

141. Basem Jamal Darwish al-Takuri died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

142. Samer Atrash pled guilty for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
06/11/2003	Jerusalem	Alan Beer Harry Leonard Beer Estelle Carroll Phyllis Maisel Anna Beer Phyllis Pam Natan Pam Raziel Pam Neemah Pam Fisher

143. “On June 11, 2003, a Hamas suicide bomber blew up Egged bus number 14A. One of the deadliest attacks of the year, the explosion killed 17 people, including [U.S. citizen] Alan Beer, and wounded more than 99.” *Beer v. Islamic Republic of Iran*, 574 F. Supp. 2d 1, 6 (D.D.C. 2008) (citations omitted). The following U.S. citizens were also injured by the attack:

- Harry Leonard Beer
- Anna Beer
- Phyllis Maisel
- Estelle Carroll
- Natan Pam
- Raziel Pam
- Neemah Pam Fisher

See id. at 14; *Miller*, 372 F. Supp. 3d at 41; Complaint at 3–5, *Pam v. Arab Bank*, No. 18-cv-4670-RPK-PK (E.D.N.Y. Aug. 17, 2018), ECF No. 1.

144. Abdel-Muti Mohammad Saleh Shabaneh died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

145. Omar Salah Sharif pled guilty for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
06/17/2003	Route 6, Israel	Shira Leibovitch

146. “On June 17, 2003, the Leibovitch family was traveling along the Trans–Israel Highway, just west of the town of Kalkilya, Israel. Members of the Palestine Islamic Jihad [] terrorist organization opened fire with Kalashnikov machine guns and pistols on the family’s Mazda mini-van,” severely injuring U.S. citizen Shira Leibovitch. *Leibovitch v. Syrian Arab Republic*, No. 08 C 1939, 2011 WL 444762, at *1 (N.D. Ill. Feb. 1, 2011), *rev’d on other grounds sub nom. Leibovitch v. Islamic Republic of Iran*, 697 F.3d 561 (7th Cir. 2012).

147. The following individuals were convicted for their roles in perpetrating the attack:

- Mohammed Mustafa Mohammed Abu Dura
- Ibrahim Yusuf Ibrahim Atiya
- Tarek Ahmed Abdel-Karim Hasayin
- Samach Samir Mohammed Shubaki

See Declaration of N. Kaufman ¶ 8.

Attack Number	Date	Location of Attack	U.S. Victims' Names
	06/20/2003	Israel	Eugene Goldstein Lorraine Goldstein Barbara Goldstein-Ingardia Michael Goldstein Chana Freedman

148. The following U.S. citizens received a judgment in the United States District Court for the Eastern District of New York under 18 U.S.C. § 2333 for injuries caused by the attack:

- Eugene Goldstein
- Lorraine Goldstein
- Barbara Goldstein-Ingardia
- Michael Goldstein
- Chana Freedman

See Stipulation to Enter Final Judgment, *Linde v. Arab Bank*, No. 06-cv-1623 (BMC) (PK) (E.D.N.Y. May 24, 2016), ECF No. 1098.

149. The following persons were convicted or pled guilty for their roles in perpetrating the attack:

- Ahmad Mustafa Saleh Hamad
- Khaled Adb al-Mua'z Zein al-Din Omar
- Ahmad Khaled Dawud Hamed
- Hisham Abd al-Qader Ibrahim Hijazi

See Declaration of N. Kaufman ¶¶ 7–8.

Date	Location of Attack	U.S. Victims' Names
08/19/2003	Jerusalem	Shalom Goldstein Ora Cohen Meirav Cohen Daniel Cohen Orly Cohen Shira Cohen Elchanan Cohen

150. With regard to the August 19, 2003, attack, the U.S. District Court for the District of Columbia made the following findings of fact:

On August 19, 2003, Ora Cohen and her then-husband Shalom journeyed to the Western Wall, a holy site in Old Jerusalem, for an afternoon of prayer. Their five children—daughter Meirav Cohen (7 years old at the time); son Daniel Cohen (6 years old); daughter Orly Cohen (4 years old); daughter Shira Cohen (1 year old); and newborn son, Elchanan Cohen (1 month old)—accompanied them on this family outing. That evening, the Cohen family boarded the Number 2 Egged Bus to return home. Because the bus was crowded, the family was forced to split up in order to find seating, with Shalom and Shira standing in the middle of the bus apart from the rest of the family, who were seated near the front. A few stops short of their final destination, Ora observed a gentleman force his way onto the bus and remembers the “whole world [going] black.”

[A] Hamas operative [] had boarded the bus in the Shmuel Ha-Navi neighborhood with a bomb strapped to his body. He detonated it almost immediately upon boarding, killing 23 people and injuring 130 more, including every Cohen family member aboard.

Cohen v. Islamic Republic of Iran, 238 F. Supp. 3d 71, 75–76 (D.D.C. 2017) (citations omitted).

151. Ora Cohen and all of her children are U.S. citizens. *See id.* at 77. U.S. citizen Shalom Goldstein was also injured in the attack. *See* Declaration of Shalom Goldstein, *Goldstein v. Islamic Republic of Iran*, No. 16-cv-2507 (Dec. 3, 2018), ECF No. 15-1.

152. Raed Abdel-Hamid al-Razaq Misk died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

153. The following persons pled guilty for their roles in perpetrating the attack:

- Nasim Rashad Abd el-Wadud Za'tari

- Abdallah Yihya Sharbati
- Jalal Jamal Ya'amur

See Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
09/09/2003	Jerusalem	David Applebaum Naava Applebaum Debra Applebaum

154. On September 9, 2003, U.S. citizens David Applebaum and his daughter Naava Applebaum were killed when a suicide terrorist detonated an explosive device next to the Café Hillel in Jerusalem. See Declaration of D. Applebaum, attached as Exhibit 24. Debra Applebaum, a U.S. citizen, was also injured by the attack. *Id.*

155. Suicide terrorist Ramiz Fahmi Izz al-Din Abu Salim died perpetrating the attack. See Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
10/04/2003	Haifa	Chaya Ben-Zaken Zilberstein Clara Ben-Zaken

156. On October 4, 2003, U.S. citizen Chaya Ben-Zaken Zilberstein, who was pregnant at the time, was in the Maxim Restaurant in Haifa when a suicide terrorist detonated an explosive device, severely injuring her and killing 21 others. See *Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1; Declaration of C. Ben-Zaken, attached as Exhibit 25. A copy of the relevant sections of the translated report is attached as Exhibit 20. U.S. citizen Clara Ben-Zaken was also injured by the attack. See Declaration of C. Ben-Zaken, *supra*.

157. Suicide terrorist Hanadi Taysir Abd al-malik Jaradat died perpetrating the attack. See Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
01/29/2004	Jerusalem	Karen Shifra Goldberg Chana Bracha Goldberg Esther Zahava Goldberg Yitzhak Shalom Goldberg Shoshana Malka Goldberg Eliezer Simcha Goldberg Yaakov Moshe Goldberg Tzvi Yehoshua Goldberg

158. The following U.S. citizens received a judgment in this case under 18 U.S.C. § 2333 for injuries caused by the attack:

- Karen Shifra Goldberg
- Chana Bracha Goldberg
- Esther Zahava Goldberg
- Yitzhak Shalom Goldberg
- Shoshana Malka Goldberg
- Eliezer Simcha Goldberg
- Yaakov Moshe Goldberg
- Tzvi Yehoshua Goldberg

See Sokolow v. Palestine Liberation Org., No. 04-cv-0397 (GBD), 2015 WL 10852003, at *3 (S.D.N.Y. Oct. 1, 2015).

159. Ali Ja'ara died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

160. The following individuals were convicted or pled guilty for their roles in perpetrating the attack:

- Ahmed Salah
- Ali Mohamed Abu-Haliele
- Abdul Rahman Maqdad

- Hilmi Hamash
- Mohamed Ma'ali
- Ahmed Sa'ad

See Declaration of N. Kaufman ¶ 7–8.

Date	Location of Attack	U.S. Victims' Names
02/22/2004	Jerusalem	Rebecca Nevies

161. On February 22, 2004, U.S. citizen Rebecca Nevies was riding the No. 14 bus in Jerusalem when a suicide terrorist detonated an explosive device, killing 8 and injuring 60 others, including Nevies. *See Suicide Terrorists in the Current Conflict*, ISRAELI SECURITY AGENCY; Declaration of Itzhak Ilan 1–3, *Shatsky v. Syrian Arab Republic*, No. 08-cv-0496 (RJL) (D.D.C. Sept. 14, 2020), ECF No. 50-1. A copy of the relevant sections of the translated report is attached as Exhibit 20.

162. Based on her injuries, Nevies brought a federal action under 18 U.S.C. § 2333 and other statutes against Arab Bank, PLC. *See* Second Amended Complaint, *Litle v. Arab Bank, PLC*, No. 04-cv-5449 (NG) (VVP) (E.D.N.Y. Apr. 10, 2007), ECF No. 307. The complaint, signed by attorney Mark S. Werbner of Sayles Werbner P.C., states that Nevies was a U.S. citizen. *See id.* at 20, 107.

163. Mohammad Issa Khalil Zghool died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

164. Izz al-din Halid Hussain al-Hamamra was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
09/22/2004	Jerusalem	Michael Spitz

165. On September 22, 2004, a suicide terrorist detonated an explosive device near the French Hill section of Jerusalem, killing two and wounding 17 others, including U.S. citizen Michael Spitz. *See Miller v. Arab Bank, PLC*, 372 F. Supp. 3d 33, 41 (E.D.N.Y. 2019); Complaint at 11, *Pam v. Arab Bank*, No. 18-cv-4670-RPK-PK (Aug. 17, 2018), ECF No. 1.

166. Zaynab Ali Isa Abu Salem died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
04/17/2006	Tel Aviv	Daniel Wultz Yekutiell Wultz Sheryl Wultz Amanda Wultz

167. “[D]uring lunchtime on April 17, 2006, a suicide bomber arrived at the Rosh Ha’ir restaurant in Tel Aviv carrying a powerful explosive device which had been provided to him by the [Palestinian Islamic Jihad]. The explosion killed eleven people and wounded dozens of others. Among the wounded w[as] sixteen-year-old [U.S. citizen] Daniel Wultz.” *Wultz v. Islamic Republic of Iran*, 864 F. Supp. 2d 24, 30 (D.D.C. 2012) (internal citations omitted). The following U.S. citizens were also injured by the attack:

- Yekutiell Wultz
- Sheryl Wultz
- Amanda Wultz

See id. at 43. Daniel died of his injuries. *See id.* at 27.

168. Samer Samih Mohammad Hammad died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

169. The following persons were convicted or pled guilty for their roles in perpetrating the attack:

- Muhammad Amoudi
- Fawaz Rajbi
- Fawzi Badriya

See Declaration of N. Kaufman ¶¶ 7–8.

Date	Location of Attack	U.S. Victims' Names
03/06/2008	Jerusalem	Avraham David Moses Rivkah Martha Moses Naftali Andrew Moses David Moriah Elisha Dan Moses N.M. C.M. O.D.M. A.M. Aviad Moriah Naftali Shitrit Gila Rachel Shitrit Meiri Shitrit Oshrat Shitrit Noya Shitrit Yedidya Shitrit A. Shitrit E. Shitrit H. Shitrit

170. On March 6, 2008, “a 26-year-old Izz al-Din al-Qassam Brigades operative[], entered the Merkaz HaRav Yeshiva in Jerusalem. . . . armed with a Kalashnikov assault rifle with nine compatible magazines, two guns (a Beretta pistol and an FN pistol) with four compatible magazines, and a commando knife.” *Force v. Islamic Republic of Iran*, No. CV 16-1468 (RDM), 2020 WL 2838527, at *17 (D.D.C. May 31, 2020) (internal citations omitted). He then opened fire on students in front of the building before entering the building and killing more. *See id.*

171. The following U.S. citizens were either killed or injured by the attack:

- Avraham David Moses
- Rivkah Martha Moses

- Naftali Andrew Moses
- David Moriah
- Elisha Dan Moses
- N.M.
- C.M.
- O.D.M.
- A. Moriah
- Aviad Moriah
- Naftali Shitrit
- Gila Rachel Shitrit
- Meiri Shitrit
- Oshrat Shitrit
- Noya Shitrit
- Yedidya Shitrit
- A. Shitrit
- E. Shitrit
- H. Shitrit

See id. at *17–18.

172. Alaa Hisham Abu Dheim died perpetrating the attack. *See* Declaration of A. Spitzen

¶ 45.

Date	Location of Attack	U.S. Victims' Names
12/18/2010	Beit Shemesh	Kristine Luken

173. On December 18, 2010 two Palestinian terrorists abducted U.S. citizen Kristine Luken and another woman, before repeatedly stabbing them, killing Luken and severely injuring the other. *See* Affidavit in Support of an Arrest Warrant and a Criminal Complaint at 2–4, *United States v. Fatafta*, No. 17-mj-229 (D.D.C. Apr. 13, 2017).

174. Ayad Fatafta was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
06/12/2014	Halhul	Naftali Fraenkel

175. On Thursday, June 12, 2014, sixteen-year-old U.S. citizen Naftali Fraenkel and two classmates were kidnapped by perpetrators affiliated with Hamas. *See Fraenkel v. Islamic Republic of Iran*, 892 F.3d 348, 351 (D.C. Cir. 2018). Their bodies were located after an 18-day search. *See id.* at 352.

176. The following persons were convicted or pled guilty for their roles in perpetrating the attack:

- Hussam al-Qawasmeh
- Ghassan Talal Salman Qawasme
- Ahmed Abraham Mohamad Qawasme
- Maher Mustpha Mohamad al-Qawasme
- Hasan Ali Qawasme
- Hisham Isa Ibd al-Rahman Qawasme

See Declaration of N. Kaufman ¶ 7–8.

Date	Location of Attack	U.S. Victims' Names
10/22/2014	Jerusalem	Chaya Zissel Braun Shmuel Braun Chana Braun Esther Braun Murray Braun

177. “On the afternoon of October 22, 2014, [a suicide terrorist] . . . drove a car to a light rail station in Jerusalem and intentionally drove onto the light rail tracks and rammed his vehicle into the crowd of pedestrians. *Braun v. Islamic Republic of Iran*, 228 F. Supp. 3d 64, 72 (D.D.C. 2017) (internal quotation omitted). The following U.S. citizens were either killed or injured by the attack:

- Chaya Zissel Braun
- Shmuel Braun
- Chana Braun
- Esther Braun
- Murray Braun

See id. at 72–73.

178. Abdel Rahman Idris al-Shaludi died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
11/18/2014	Jerusalem	Aryeh Kupinsky Moshe Twersky Kalman Ze’ev Levine

179. On November 18, 2014, two terrorists entered the Kehillat Bnei Torah buildings in the Har Nof neighborhood in Jerusalem with a gun and butcher knives and began attacking worshippers, stabbing them before opening fire. *See Terror Attack in Jerusalem Synagogue*, ISRAEL

MINISTRY OF FOREIGN AFFAIRS (Nov. 18, 2014). A copy of the story is attached as Exhibit 26. The following U.S. citizens were killed in the attack:

- Aryeh Kupinsky
- Moshe Twersky
- Kalman Ze'ev Levine

Based on their injuries, the above-named victims brought a federal action under 28 U.S.C. § 1605A and other statutes against the Syrian Arab Republic. *See* Amended Complaint, *Heching v. Syrian Arab Republic*, No. 17-cv-1192-TSC (D.D.C. Jul. 25, 2017), ECF No. 6. The complaint, signed by attorney Asher Perlin of his eponymous firm, states that the above-named victims were U.S. citizens. *See id.* at 7–9, 37.

180. Uday Abu Jamal and Ghassan Muhammad Abu Jamal died perpetrating the attack. *See* Declaration of A. Spitzen ¶45.

Date	Location of Attack	U.S. Victims' Names
10/01/2015	Israel Highway Route 60	Eitam Henkin

181. On October 1, 2015, U.S. citizen Eitam Henkin was driving past the town of Beit Furik with his wife and family when members of Hamas overtook the car and shot Henkin and his wife in front of their children. *See* Declaration of Judah Herzel Henkin at 1, *Henkin v. Islamic Republic of Iran* (D.D.C. Aug. 27, 2020), ECF No. 21-4; Declaration of N. Kaufman ¶ 10.

182. The following individuals were convicted or pled guilty for their roles in the attack:

- Yahia Muhamad Naif Abdullah Hajj Hamed
- Samir Zahir Ibrahim Kusa
- Karam Lutfi Fatahi Razek Al Masri
- Amjad Adel Muhamad Aliwi

See Declaration of N. Kaufman ¶ 7–8.

Date	Location of Attack	U.S. Victims' Names
10/13/2015	Jerusalem	Richard Lakin Micah Lakin Avni Manya Lakin

183. “On the morning of October 13, 2015, two Hamas operatives . . . boarded Egged bus number 78 in the Armon Hanatziv neighborhood of Jerusalem. [One terrorist] was armed with a gun, and [the other] carried a knife. They hid their weapons under their clothing and waited for the bus to pick up other passengers. When the bus became full, [one terrorist] proceeded to the back, where he shot passengers at close range. [The other] used his knife to stab passengers near the front of the bus.” *Force v. Islamic Republic of Iran*, No. CV 16-1468 (RDM), 2020 WL 2838527, at *11 (D.D.C. May 31, 2020) (internal citations omitted).

184. The following U.S. citizens were either killed or injured by the attack:

- Richard Lakin
- Micah Lakin Avni
- Manya Lakin

See id.

185. Bahaa Muhammad Khalil Alyan died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

186. Balal Abu-Ga’aanem was convicted for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
11/19/2015	Gush Etzion	Ezra Schwartz Michael Benzakein Jason Geller

187. On November 19, 2015, U.S. citizens Ezra Schwartz, Michael Benzakein, and Jason Geller were riding in a van to deliver care packages to Israeli soldiers and beautify a park in

honor of three Israeli boys who had been kidnapped and murdered in 2014. When the van was stopped at a busy intersection in Gush Etzion, a terrorist affiliated with Hamas opened fire into the traffic with an automatic submachine gun, killing Schwartz and injuring Benzakein and Geller. *See DOJ/OVT Interactive World Map - Near East*, Justice.gov, <https://www.justice.gov/nsd-ovt/dojovt-interactive-world-map/near-east> (last visited Oct. 11, 2020); Declaration of Ruth Schwartz at 1, *Schwartz v. Islamic Republic of Iran*, No. 18-cv-1349 (D.D.C. Oct. 17, 2019), ECF No. 28-1; Declaration of Michael Benzakein at 1, 4–5, *Schwartz v. Islamic Republic of Iran*, No. 18-cv-1349 (D.D.C. Oct. 17, 2019), ECF No. 28-6; Declaration of Jason Geller at 1, 4–5, *Schwartz v. Islamic Republic of Iran*, No. 18-cv-1349 (D.D.C. Oct. 17, 2019), ECF No. 28-12. A copy of the DOJ/OVT list is attached *supra* as Exhibit 21.

188. Mohammed Abdel Basset al-Haroub pled guilty for his role in perpetrating the attack. *See* Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
03/08/2016	Tel Aviv	Taylor Force Stuart Force Robbi Force Kristen Anne Force

189. “[O]n March 8, 2016, [a suicide terrorist] existed a mosque and began stabbing passerby in the Port of Jaffa, just south of Tel Aviv.” *Force v. Islamic Republic of Iran*, No. CV 16-1468, 2020 WL 2838527, at *8 (D.D.C. May 31, 2020). U.S. citizen Taylor Force died in the attack, and his parents, Stuart and Robbi, and his sister, Kristen, were injured by the attack. *Id.*

190. Bashar Muhammad Abd al-Qader Masalha died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

191. The following individuals pled guilty for their roles in the attack:

- Muhammad Awieda

- Bilal Sawan

See Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
06/30/2016	Kiryat Arba	Hallal Yaffa Ariel

192. On June 30, 2016, a terrorist broke into a home in Kiryat Arba near Hebron and killed thirteen-year-old Hallal Yaffa Ariel with a knife as she slept. The U.S. Department of Justice's OVT confirmed that a U.S. citizen was a victim of the attack. *See DOJ/OVT Interactive World Map - Near East*, Justice.gov, <https://www.justice.gov/nsd-ovt/dojovt-interactive-world-map/near-east> (last visited Oct. 11, 2020). A copy of the DOJ/OVT list is attached *supra* as Exhibit 21.

193. Mohammad Naser Mahmoud Tarayreh died perpetrating the attack. *See* Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
07/01/2016	South Hebron Hills	Chava Mark Pedaya Mark Tehilla Mark

194. On July 1, 2016, Rabbi Michael Mark and his wife, U.S. citizen Chava Mark were driving with their children in the South Hebron Hills when a terrorist affiliated with Hamas drove up next to them and opened fire with an automatic rifle, killing Michael Mark and severely injuring Chava Mark and their two children. Based on their injuries, the Mark family brought a federal action under 28 U.S.C. § 1605A and other statutes against the Islamic Republic of Iran. *See* Complaint, *Mark v. Islamic Republic of Iran*, No. 20-cv-00651-TNM (D.D.C. March 5, 2020), ECF No. 1. The complaint, signed by attorneys Paul G. Gaston and Asher Perlin, details the attacks and states that Michael and Chava and their two children were U.S. citizens. *See id.* at 7–14, 22–23.

195. The following persons were convicted for their roles in perpetrating the attack:

- Mohammed Abdel Mohammed al-Amarya
- Suhib Jabara Ahmed Alfakiyah
- Alaa Raed Salah Zajayer

See Declaration of N. Kaufman ¶ 8.

Date	Location of Attack	U.S. Victims' Names
01/08/2017	Jerusalem	Unknown

196. A U.S. national was killed or injured in this attack, according to the U.S. Department of Justice's OVT. See *DOJ/OVT Interactive World Map - Near East*, Justice.gov, <https://www.justice.gov/nsd-ovt/dojovt-interactive-world-map/near-east> (last visited Oct. 11, 2020). A copy of the DOJ/OVT list is attached *supra* as Exhibit 21.

197. Fadi Ahmad Hamdan Al-Qunbar died perpetrating the attack. See Declaration of A. Spitzen ¶ 45.

Date	Location of Attack	U.S. Victims' Names
12/13/2018	Ofra	Nathaniel Felber Judi Felber Joseph Felber Daniel Felber Adina Felber

198. On the morning of December 13, 2018, Asem al-Barghouthi opened fire on a group of civilians and soldiers standing at a hitchhiking stop, killing two and leaving Nathaniel Felber with a permanent, severe brain injury. See Declaration of A. Spitzen ¶¶ 43–45, *Felber v. Islamic Republic of Iran*, No. 19 Civ. 1027 (D.D.C.) (D.E. No. 28); Proposed Findings of Fact ¶¶ 88, 108, 120, 132, 167 & Affidavits in support thereof in *Felber v. Islamic Republic of Iran*, No. 19 Civ. 1027 (D.D.C.), ECF No. 30.

199. The following individuals pled guilty for their roles in perpetrating the attack:

- Asem Umar Saleh al-Barghouti

- Anees Ahmd Yosef Mashal

See Declaration of N. Kaufman ¶ 7.

Date	Location of Attack	U.S. Victims' Names
08/16/2019	Elazar	Unknown

200. A U.S. national was killed or injured in this attack, according to the U.S. Department of Justice's OVT. See *DOJ/OVT Interactive World Map - Near East*, Justice.gov, <https://www.justice.gov/nsd-ovt/dojovt-interactive-world-map/near-east> (last visited Oct. 11, 2020). A copy of the DOJ/OVT list is attached *supra* as Exhibit 21.

201. Ala'Khader al-Hreimi died perpetrating the attack. See Declaration of A. Spitzen ¶ 45.

202. Pursuant to the Palestine Liberation Organization Commitments Compliance Act of 1989 (§ 804, Title VIII, P.L. 101-246) and the Foreign Relations Authorization Act, Fiscal Year 2003 (§§ 603–04, 699, P.L. 107-228), the State Department has issued a Report to Congress regarding compliance during the period from April 5 to October 4, 2020, by the Palestine Liberation Organization and the Palestinian Authority with respect to their commitments under those statutes. A true and complete copy of the Report's text as provided to me is attached as Exhibit 27. Relevant portions of the report were quoted in a recent press article. See Adam Kredo, *Palestinian Government Continues Payments to Terrorists Despite Cash Crunch*, WASH. FREE BEACON (Oct. 30, 2020), <https://freebeacon.com/national-security/palestinian-government-continues-payments-terrorists-despite-cash-crunch/>. A copy of the Free Beacon article is attached as Exhibit 28. Because the Report's full text was provided by a confidential source, I have redacted the sender's name and other information protected by the work-product privilege.

B. Consent Under Subparagraph (1)(B)*Relation Between the PLO and the PA*

203. The PA's Ministry of Foreign Affairs acts as the PLO's agent. According to Defendants, the PA's "ultimate authority is the PLO," and the PA "was made accountable to the PLO Executive Committee." Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Request for an Advisory Opinion), Written Statement Submitted by Palestine at ¶¶ 118–119 (Jan. 30, 2004), <https://www.icj-cij.org/public/files/case-related/131/1555.pdf>. A copy of relevant portions of the statement is attached as Exhibit 29.

204. The PA's Ministry of Foreign Affairs website states that the PA "cannot assume roles or functions not delegated to it by the PLO." A translated excerpt of the website is attached as Exhibit 30.³

205. The PLO has delegated to the PA a role in the PLO's conduct of activities at the UN Mission in New York. In 2005, the PA adopted "The Diplomatic Corps Law No. 13-2005." According to this law, the PA's Ministry of Foreign Affairs is charged with "[o]verseeing all missions politically, administratively and financially," (§ 3); and all staff with the rank of "Ambassador" are appointed by the PA's President, (§§ 7, 9). A translated copy of the Diplomatic Corps Law No. 13-2005 is attached as Exhibit 31.

206. In accordance with this law, PLO and PA Chairman Abbas appointed Riyad Mansour to head the Palestinian UN Mission, on September 10, 2005, with the civil service rank of "ambassador" within the PA's Foreign Ministry, serving as the PLO's Permanent Observer to the United Nations. A translated copy of the announcement is attached as Exhibit 32. Dr. Mansour continues to head the Mission today, and other PA officials also staff the office, according to

³ Plaintiffs previously filed Exhibits 28–31, 33, and 58 in support of their motion to recall the Second Circuit's mandate. *See* No. 15-3135, ECF No. 305 (2d. Cir. March 25, 2019).

Defendants' PalestineUN.org Mission Team subpage. Copies of the relevant website pages are attached as Exhibit 33.

Consular Services

207. For many years, Defendants have provided "consular services," such as the authentication of birth and death certificates, and other forms, through agents located in the United States, including Ahmad Alahmad, Samir Farhat, and Awni Abu Hdba. For example, in 2019, Defendants' agent Awni Abu Hdba participated in the authentication of a document while located in New Jersey. These activities were described in detail in the Declaration of David Russell originally filed in the Second Circuit in *Sokolow v. Palestine Liberation Org.*, No. 15-3135 (ECF No.305-5) at pp. A278–82 (attached as Exhibit 34).

Press Conferences and Informational Materials

208. On February 11, 2020, Mahmoud Abbas, Chairman of the PLO and President of the PA, held a press conference with a retired Israeli politician in New York City, during which Chairman Abbas criticized the U.S. anticipated Israel–Palestine Peace Plan. Chairman Abbas said: "A few days ago, the so called deal of the century was introduced by America and totally went against international law and does not make way for a two-state solution. This cannot be a basis for any future negotiations as it will not make way for a joint peace." The press conference was recorded and is available on Defendants Twitter page. *See infra* Exhibits 35–36.

209. After January 4, 2020, Defendants continued to maintain and update a website and Twitter and Facebook accounts in the name of the State of Palestine, though which they publish communications in English.

210. Defendants' posts on Facebook and Twitter are physically in the United States. Twitter's servers are located in Sacramento, California *Easyweb Innovations, LLC v. Twitter, Inc.*,

No. 11 Civ. 4550 (JFB) (SIL), 2016 WL 1253674, at *3 (E.D.N.Y. Mar. 30, 2016), *aff'd*, 689 F. App'x 969 (Fed. Cir. 2017). Six of Facebook's nine data centers are physically in the United States. *See Patel v. Facebook, Inc.*, 932 F.3d 1264, 1268 (9th Cir. 2019).

211. Defendant's palestineun.org website is physically in the United States. It is maintained by Domains By Proxy, LLC, an entity physically located in Arizona, according to the Internet Corporation for Assigned Names and Numbers (ICANN) and the Arizona Corporation Commission. According to ICANN's "WHOIS" tool, the server hosting the palestineun.org website is physically located in California. Copies of reports from the Arizona Corporation Commission and ICANN are attached as Exhibit 37.

212. Defendants employ a person who works at Defendants' office, premises, or other facility located in a townhouse on at 115 East 65th Street in New York City, and who lists her job as "Director of Public Relations." A copy of Nadia Ghannam's LinkedIn page is attached as Exhibit 38; *see also supra* Exhibit 33.

213. After January 4, 2020, Defendants have used their website to publish communications in English. Such communications included the following examples:

- a. January 10, 2020: Defendants published a letter on their website asserting that Israel is carrying out a "frenzied, illegal colonization campaign."
- b. February 14, 2020: Defendants published a letter on their website asserting that Israel was engaging in "relentless crimes, provocation, incitement and inflammatory rhetoric."
- c. February 20, 2020: Defendants published a letter on their website asserting that Israel was engaged in "continuing illegal settlement activities, land grab and annexation schemes."

d. February 26, 2020: Defendants published a letter on their website asserting that Israel “persists in rabid pursuit of its illegal colonization schemes.”

e. March 13, 2020: Defendants published a letter on their website asserting that Israel “escalates the pace of its illegal annexation and colonization schemes and its aggressions and inflammatory rhetoric against the Palestinian people.”

f. April 2, 2020: Defendants published a letter on their website asserting that Israel “has not for a minute ceased its illegal policies and practices.”

g. April 15, 2020: Defendants published a letter on their website asserting that “Israel continues to cynically exploit the international community’s focus on the life and death circumstances imposed by the COVID-19 pandemic, to entrench its illegal occupation, advance annexation, and escalate its repression of Palestinians.”

h. April 29, 2020: Defendants published a letter on their website asserting that Israel’s accusations of antisemitism are used to “taint legitimate criticism” by those who “dare to denounce Israel’s violations of the Palestinian people’s rights and its colonization of their land.”

i. May 13, 2020: Defendants published a letter on their website asserting that “not a day has passed where Israel has not cynically exploited the COVID-19 crisis, globally and locally, to forge ahead with its annexationist plans and in full coordination with the current US administration.”

j. June 4, 2020: Defendants published a letter on their website asserting that Israel “continues its depraved dehumanization of the Palestinian people and colonization of Palestinian land.”

k. July 24, 2020: Defendants published a letter on their website asserting that Israel “forges ahead with its expansionist policies in the West Bank, cementing its illegal occupation and escalating its aggression against the Palestinian people, their land and their rights.”

l. August 6, 2020: Defendants published a letter on their website asserting that there were “continuing and escalating illegal policies and practices of Israel, the occupying Power, and its extremist military and settler forces.”

m. August 17, 2020: Defendants published a letter on their website asserting that “Israel carries on with its illegal colonization and annexation measures in our land and with its repression of the Palestinian people through measures of collective punishment, dispossession, displacement and other violations of their rights.”

Copies of the above-cited posts are attached as Exhibits 39–51.

214. After January 4, 2020, Defendants also published on their website English translations of numerous speeches given by Palestinian representatives at the United Nations. These publications included the following examples:

a. February 11, 2020: Defendants assert that the proposed U.S. peace plan “contains diktats, consecrates occupation and annexation by military force, and would lead to an Apartheid system, an anachronistic reality being implemented today in Palestine. It rewards occupation instead of holding it accountable for the crimes it has committed for decades against our people and land.”

b. April 23, 2020: Defendants assert that Israel should “stop its colonization and de facto annexation of Palestinian land; end its immoral blockade on the Gaza Strip;

and release the thousands of Palestinians, including children, that it has imprisoned. . . . Israel carries on with its illegal policies and practices, business as usual.”

c. May 27, 2020: Defendants assert, “Israel has demonstrated time and time again its contempt for the rule of international law and for Palestinian rights and lives.”

d. June 24, 2020: Defendants assert that Israel is “drunk on power, propelled by infinite impunity, motivated by one single thought that it has been under the influence of for decades: grabbing maximum Palestinian land with minimum Palestinians.”

e. July 21, 2020: Defendants assert that the Palestinian people has been “dispossessed, exiled, occupied, colonized, annexed and deprived of their fundamental human rights.”

Copies of the above-cited posts are attached as Exhibits 52–56.

215. Since January 4, 2020, Defendants have updated their Twitter account more than 200 times and their Facebook account more than 125 times. Defendants’ Twitter and Facebook updates have included the following communications in English:

a. February 4, 2020: Defendants published the “official #Palestinian position from the Trump administration’s so-called plan” concerning the U.S. peace plan.

b. February 11, 2020: Defendants stated, “They (#Israelis) are strengthening the #apartheid regime . . . this plan is a plan to put an end to the Question of #Palestine” (ellipses in original).

c. March 17, 2020: Defendants stated, “US lawmakers call on their administration to oppose demolition of Palestinian homes.”

d. March 30, 2020: Defendants stated, “With resilience and strength, we will defeat [COVID-19] despite the continued Israeli violations against the land and people of Palestine.”

e. April 10, 2020: Defendants stated, “Infographic: Summary of Israeli violations since the State of #Palestine declared a state of emergency over the outbreak of #COVID19.”

f. April 12, 2020: Defendants stated, “While the world works on saving lives, US and Israel working on killing prospects of peace through annexation.”

g. April 17, 2020: Defendants stated, “Palestinian prisoners are hostages to Israel’s gratuitous cruelty and must be released.”

h. April 20, 2020: Defendants stated, “Palestinian leadership will confront Israel’s united agenda of permanent aggression and annexation.”

i. April 23, 2020: Defendants stated, “We reiterate: the #US plan will not bring peace. This plan—and #Israel’s decision to proceed w/ #annexation—will destroy the two-State solution & entrench Israel’s military control over the #Palestinian ppl and land.”

j. April 28, 2020: Defendants stated, “Ever since Trump took office in 2016, Israel has built more illegal settlements on Palestinian land and displaced more families than in previous years.”

k. May 15, 2020: Defendants published an article entitled, “Nakba is a continuum of injustice that must end.” The article begins: “Seventy-two years ago, the Nakba (Catastrophe) that was forced upon the Palestinian people began with a systematic campaign of ethnic cleansing, expulsion, mass murder, theft, and destruction by Zionist militias

that later formed the Israeli army.” The article contains no mention of any proceedings in the United Nations.

l. May 18, 2020: Defendants announced that “the Palestinian Govt. will meet to discuss how we will move forward in response to Israel’s announcement on the looming #annexation plan scheduled to take place this July.”

m. May 19, 2020: Defendants republish a declaration by the Organization of Islamic Cooperation opposing the annexation plan.

n. May 21, 2020: Defendants republish a press release to “mobilize efforts to combat Israel’s unlawful annexation plans.”

o. May 22, 2020: Defendants republished portions of a letter written by eighteen US. Senators expressing “grave concern regarding unilateral annexation of Palestinian Territory.”

p. June 7 to 11, 2020: Defendants published a series of videos entitled “one voice against Israel’s annexation.”

q. June 11, 2020: Defendants published an “open letter to the Israeli Government concerning Annexation” by legal scholars.

r. June 12, 2020: Defendants published a statement from the President of Sinn Féin (the Irish political party) that “[t]he global community must stand w/the Palestinian people at this time.”

s. June 16, 2020: Defendants publish a statement denouncing “the threat annexation: Israel’s acquisition of lands belonging to the State of #Palestine by Force.”

t. June 25, 2020: Defendants published a letter from European lawmakers “contemning Israel’s latest plan to illegally #annex #Palestinian territory in the occupied #WestBank.”

u. June 26, 2020: Defendants published a statement from Churches for Middle East Peace arguing that “Annexing any (part) of the West Bank will entrench inequalities and abuses of Palestinian human rights.”

v. June 26, 2020: Defendants published a letter stating that Israel is engaged in “institutionalized violence, terror and racism.”

w. July 1, 2020: Defendants published a “call for immediate targeted sanctions to stop Israel’s #Annexation and Apartheid” and a position paper for “all those interested to know more about the illegality of Israel’s annexation and its impact on the lives of the people of #Palestine.”

x. July 2, 2020: Defendants published a “call by international women leaders against Israeli annexation.”

y. July 3, 2020: Defendants published a statement by retired politicians urging European politicians “to maintain their resolve against #Israel’s plans to annex swathes of the #WestBank.”

z. July 29, 2020: Defendants published a video captioned: “The reality of occupation and #annexation in #Jerusalem summed up. Ethnic cleansing, land theft, oppression, persecution and other #IsraeliCrimes continue in the absence of #accountability.”

aa. August 31, 2020: Defendants retweeted an assertion that “Israel must immediately allow entry of fuel and other essential items into #Gaza.

Copies of the above-cited Twitter and Facebook posts are attached as Exhibits 35–36, 57–58.

Maintaining An Office Or Other Facility

216. Defendants own and maintain an office, premises, or other facility located in a townhouse on at 115 East 65th Street in New York City. Defendants own the building in which the facility is located in the name of the “Permanent Observer Mission of Palestine to the United Nations.” A copy of the deed to 115 East 65th Street is attached as Exhibit 59.

217. I believe that agents, officers, and/or employees of the PLO and the PA have used the East 65th Street facility since January 4, 2020, and that they have used the facility in the name of the State of Palestine for non-UN business.

218. The PLO and the PA hold themselves out to be, and carry out conduct in the name of, the State of Palestine, in connection with official business of the United Nations. *See supra* Exhibit 33. For example, Dr. Mansour holds himself out as “Ambassador, Permanent Observer of the State of Palestine to the United Nations.” *See id.*

C. Discovery Will Reveal Additional Relevant Information Proving Consent

219. No discovery from Defendants concerning consent to jurisdiction has taken place in any case since enactment of the PSJVT A.

220. Discovery from Defendants would likely demonstrate that they engaged in conduct that meets the terms of 18 U.S.C. § 2334(e)(1)(A). With regard to individuals who died while or were convicted for perpetrating terror attacks that harmed U.S. nationals, I have limited the foregoing presentation to perpetrators whose deaths or convictions are confirmed by Defendants’ own documents, copies of the convictions themselves collected by me and my colleagues, or in a handful of cases, otherwise reliable evidence. In presenting this information, my colleagues and I omitted another 129 individuals who were identified as having been convicted for or killed while perpetrating terror attacks that killed or injured Americans, but as to whom we did not have actual convictions or other confirmatory evidence. Discovery from the Defendants would likely

demonstrate that most or all of these 129 additional individuals who (a) were killed while or convicted of perpetrating terror attacks, (b) harmed U.S. citizens, and (c) they or their families were paid by Defendants after April 18, 2020 by reason of the death or imprisonment of the perpetrator. As detailed in the Declaration of Arie Spitz, a prisoner who is entitled to payments under Defendants' prisoner payment program must submit a copy of the verdict and sentence, so it is highly likely that Defendants themselves have evidence of the relevant convictions. Spitz Decl. ¶ 23. Similarly, Defendants' own "Martyr Files" will show the circumstances of the deaths of individuals killed while perpetrating terror attacks that harmed U.S. citizens. Spitz Decl. ¶ 44.

221. Discovery from the Defendants would likely also demonstrate that they have engaged in conduct that meets the terms of 18 U.S.C. § 2334(e)(1)(B). For example, discovery would reveal what uses were made of Defendants' facility in New York City. In the *Klinghoffer* case, Judge Stanton of this Court found that Defendants used the facility to prepare press releases, informational materials and to conduct fundraising activities. *Klinghoffer v. S.N.C. Achille Lauro Ed Altri-Gestione Motonave Achille Lauro in Amministrazione Straordinaria*, 795 F. Supp. 112, 114 (S.D.N.Y. 1992). I have a reasonable belief that such activities have taken place after January 4, 2020, at the same facility.

222. I also have a reasonable belief that Defendants have engaged in additional activities described by a member of Congress shortly after Defendants' counsel met with his staff. In particular, Defendants' counsel communicated or met with staff of Senator Patrick Leahy on January 7, 9, and 13, 2020, *see* Squire Patton Boggs, FARA Supplemental Statement attachment D-3, Item 3 (July 31, 2020) (relevant pages attached as Exhibit 60), and soon after that, Senator Leahy issued a statement suggesting that Defendants are conducting meetings "with advocates regarding relevant issues" and engaging in "civil society activities." *See* 166 Cong. Rec. S627 (daily ed. Jan. 28,

2020) (attached as Exhibit 61). Defendants have not disclosed which “advocates” they met with, what “relevant issues” they attempted to influence, and what “civil society activities” they engaged in. Discovery would reveal the scope of these activities and whether they are subject to some exception to the general rule that “any activity” in the United States is consent to personal jurisdiction in ATA cases.

223. In addition, based on investigation done under my supervision, I have learned that, after January 4, 2020, one or more agents of the Defendants participated in the authentication and/or consideration of documents for authentication on behalf of the PA and PLO while physically located in the United States, including by transmitting documents for authentication to employees of the PA’s Ministry of Foreign Affairs. Discovery would reveal the scope of those activities as well.

D. Additional Document

224. I attach as Exhibit 62 a letter from Secretary of State Michael R. Pompeo to Senator Charles E. Grassley dated June 19, 2019.

225. I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 12, 2020



Kent A. Yalowitz